

**CERTIFICATE OF SERVICE**

I hereby certify that on March 19, 2004, the foregoing Notice of Motion to Dismiss, the Memorandum of Law in support thereof, and the Affidavit of Mitchell R. Berger (and accompanying Exhibits), was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Ugo Colella  
Ugo Colella